

UNITED STATES DISTRICT COURT

DISTRICT OF NEW JERSEY

MINUTES OF PROCEEDINGS

CAMDEN OFFICE:

DATE OF PROCEEDINGS: 8/29/06

JUDGE: Robert B. Kugler

COURT REPORTER: Frank Gable

OTHERS:

DOCKET NO: CR 06-386 (01)

TITLE OF CASE:

UNITED STATES OF AMERICA

(vs)

CRAIG ORLER

APPEARANCES:

Jason Richardson, AUSA for Gov't.

Richard Sparaco, Esq. for deft.

(Deft. Present)

NATURE OF PROCEEDINGS: - SENTENCING ON 2-COUNT INFORMATION

**Sentence:** Purs. to the Sentencing Reform Act of 1984, it is the judgment of the Court that the deft. is hereby committed to the custody of the Bureau of Prisons to be imprisoned for a term of 40 months on Count One and 90 months on Count Two, to run consecutive to each other for a total term of 130 months. This sentence is also imposed to run consecutive to any sentence the deft. is currently serving in NJ state prison. Upon release from imprisonment, the deft. shall be placed on supervised release for a term of 3 yrs. This term consists of terms of 3 yrs. on each of counts one and two, all such terms to run concurrently. Within 72 hrs. of release from the custody of the Bureau of Prisons, the deft. shall report in person to the probation office in the district to which the deft. is released. While on supervised release, the deft. shall not commit another federal, state, or local crime, shall be prohibited from possessing a firearm or other dangerous device, shall not possess an illegal controlled substance and shall comply with the other standard conditions that have been adopted by this Court.

(over)

The deft. must submit to one drug test within 15 days of commencement of supervised release and at least two tests thereafter as determined by the probation officer. In addition, the deft. shall comply with the following special conditions: The defendant shall refrain from the illegal possession and/or use of drugs and shall submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that the defendant shall submit to drug treatment, on an outpatient or inpatient basis, as directed by the U.S. Probation Office. The defendant shall abide by the rules of any program and shall remain in treatment until satisfactorily discharged with the approval of the U.S. Probation Office. The defendant shall provide the U.S. Probation Office with full disclosure of his financial records to include yearly income tax returns upon the request of the U.S. Probation Office. The defendant shall cooperate with the probation officer in the investigation of his financial dealings and shall provide truthful monthly statements of his income. The defendant is prohibited from incurring any new credit charges or opening additional lines of credit without the approval of the probation officer, unless the defendant is in compliance with a payment schedule for any fine or restitution obligation. The defendant shall not encumber or liquidate interest in any assets unless it is in direct service of the fine or restitution obligation or otherwise has the express approval of the Court. The deft. shall cooperate in the collection of DNA as directed by the probation officer. It is further ordered that the defendant shall pay to U.S. a total fine of \$2,000, consisting of the following: On count one, a fine of \$1,000. On count two, a fine of \$1,000. The Court finds that the deft. lacks the ability to pay a fine within the guideline range. The fine is due immediately. It is recommended that the deft. participate in the Bureau of Prisons Inmate Financial Responsibility Program. In the event the fine is not paid prior to the commencement, the deft. shall satisfy the amount due in monthly installments of no less than \$100, to commence 30 days after release from confinement. The deft. shall notify the U.S. Attorney for this district within 30 days of any change of mailing or residence address that occurs while any portion of the fine remains unpaid. It is further ordered that the deft. shall pay to the U.S. a total special assessment of \$200, which shall be due immediately.

Hearing on application by deft. for recommendation that deft. be designated to serve his sentence within District of NJ. ORDERED application GRANTED.

**COURT ADVISED DEFT. OF RIGHT TO APPEAL.**



Deputy Clerk

Time Commenced: 10:10 AM

Time Adjourned: 10:50 AM